

Express Mail Label No. EL 572 45362 US

07-23-01

Docket No.  
DI-4389 DIV

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09/07  
07/20/01

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

TO THE ASSISTANT COMMISSIONER FOR PATENTS  
Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an  
invention entitled:  
**IMPROVED PERITONEAL DIALYSIS SOLUTIONS WITH POLYPEPTIDES**

and invented by:

Martis et al.

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: 07/995,106

Which is a:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

## Application Elements

1.  Filing fee as calculated and transmitted as described below  
2.  Specification having 30 pages and including the following:

- a.  Descriptive Title of the Invention
- b.  Cross References to Related Applications (if applicable)
- c.  Statement Regarding Federally-sponsored Research/Development (if applicable)
- d.  Reference to Microfiche Appendix (if applicable)
- e.  Background of the Invention
- f.  Brief Summary of the Invention
- g.  Brief Description of the Drawings (if drawings filed)
- h.  Detailed Description
- i.  Claim(s) as Classified Below
- j.  Abstract of the Disclosure

UTILITY PATENT APPLICATION TRANSMITTAL  
(Large Entity)

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Docket No.  
DI-4389 DIV

Total Pages in this Submission

Application Elements (Continued)

3.  Drawing(s) (when necessary as prescribed by 35 USC 113)  
a.  Formal Number of Sheets 5  
b.  Informal Number of Sheets \_\_\_\_\_

4.  Oath or Declaration  
a.  Newly executed (original or copy)  Unexecuted  
b.  Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)  
c.  With Power of Attorney  Without Power of Attorney  
d.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5.  Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under  
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.

6.  Computer Program in Microfiche (Appendix)

7.  Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)  
a.  Paper Copy  
b.  Computer Readable Copy (identical to computer copy)  
c.  Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8.  Assignment Papers (cover sheet & document(s))

9.  37 CFR 3.73(B) Statement (when there is an assignee)

10.  English Translation Document (if applicable)

11.  Information Disclosure Statement/PTO-1449  Copies of IDS Citations

12.  Preliminary Amendment

13.  Acknowledgment postcard

14.  Certificate of Mailing  
 First Class  Express Mail (Specify Label No.): EL 572 436 862 US

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

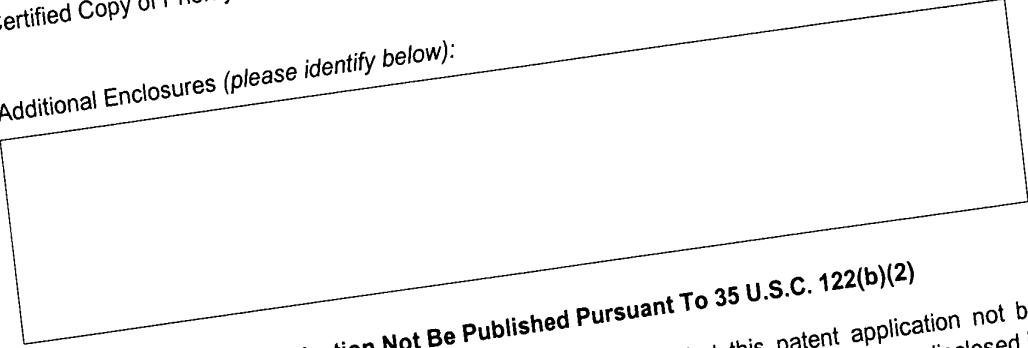
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
DI-4389 DIV

Total Pages in this Submission

## Accompanying Application Parts (Continued)

15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)

16.  Additional Enclosures (please identify below):  
  


### Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

17.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

#### Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement and who subsequently files in a foreign must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

UTILITY PATENT APPLICATION TRANSMITTAL  
(Large Entity)  
Applications under 37 CFR 1.53(b)

UTILITY PATENT  
**(Large Entity)**  
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
DI-4389 DIV

Total Pages in this Submission

Please send all correspondence to:  
ECA

Charles R. Mattenson, Esq.  
Renal Division  
BAXTER INTERNATIONAL INC.  
One Baxter Parkway  
Deerfield, IL 60015

## Fee Calculation and Transmittal

**CLAIMS AS FILED**

CLAIMS AS FILED						Fee
For	#Filed	#Allowed	#Extra	Rate		
Total Claims	18	- 20 =	0	x \$18.00	\$0.00	
Indep. Claims	4	- 3 =	1	x \$78.00	\$78.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>						\$0.00
						BASIC FEE
						\$710.00
						\$0.00
OTHER FEE (specify purpose) _____						TOTAL FILING FEE
						\$788.00

A check in the amount of **\$788.00** to cover the filing fee is enclosed.

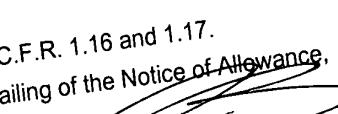
The Commissioner is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of \_\_\_\_\_ as filing fee.

Credit any overpayment.

Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).



Signature

Dated: July 20, 2001

Robert M. Barrett, Esq.  
BELL, BOYD, & LLOYD, LLC  
P.O. Box 1135  
Chicago, Illinois 60690-1135  
Tel: (312) 807-4204

CC:

Page 4 of 4

P01ULRG/REV05

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Martis et al.

Docket No.

DI-4389 DIV

Serial No.  
Unknown

Filing Date  
Herewith

Examiner  
Unknown

Group Art Unit  
Unknown

Invention:

**IMPROVED PERITONEAL DIALYSIS SOLUTIONS WITH POLYPEPTIDES**

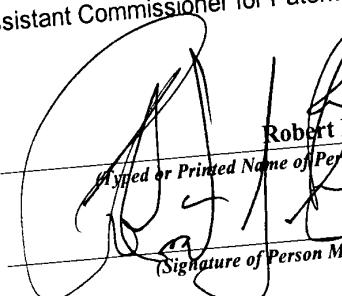
I hereby certify that the following correspondence:

Utility Application Transmittal (duplicate); Specification (30 pages); Figures (5 sheets); copy of Declaration and Power of Attorney (2 pages); Check in the amount of \$788.00; and Return Receipt Postcard.

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

July 20, 2001  
*(Date)*

  
Robert Buccieri

*(Typed or Printed Name of Person Mailing Correspondence)*

*(Signature of Person Mailing Correspondence)*

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*Note: Each paper must have its own certificate of mailing.*

United States Patent & Trademark Office  
Office of Initial Patent Examination

Application papers not suitable for publication

SN 09909733

Mail Date 07/20/01

Non-English Specification

Specification contains drawing(s) on page(s) \_\_\_\_\_ or table(s)

Landscape orientation of text  Specification  Claims  Abstract

Handwritten  Specification  Claims  Abstract

More than one column  Specification  Claims  Abstract

Improper line spacing  Specification  Claims  Abstract

Claims not on separate page(s)

Abstract not on separate page(s)

Improper paper size -- Must be either A4 (21 cm x 29.7 cm) or 8-1/2" x 11"  
 Specification page(s) \_\_\_\_\_  Abstract  
 Drawing page(s) \_\_\_\_\_  Claim(s)

Improper margins  
 Specification page(s) \_\_\_\_\_  Abstract  
 Drawing page(s) \_\_\_\_\_  Claim(s)

Not reproducible

Reason

Paper too thin  Specification page(s) \_\_\_\_\_

Glossy pages  Drawing page(s) \_\_\_\_\_

Non-white background  Abstract

Drawing objection(s)  Claim(s)

Missing lead lines, drawing(s) \_\_\_\_\_

Line quality is too light, drawing(s) \_\_\_\_\_

More than 1 drawing and not numbered correctly

Non-English text, drawing(s) \_\_\_\_\_

Excessive text, drawing(s) \_\_\_\_\_

Photographs capable of illustration, drawing(s) \_\_\_\_\_